

**DRAFT**  
**MINUTES OF THE REGULAR MEETING OF THE COSTA MESA CHARTER COMMITTEE**

**JULY 10, 2013**

**1. CALL TO ORDER**

The meeting was called to order at 6:00 p.m. in the Emergency Operations Center, at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**PRESENT: FACILITATORS:** Dr. Kirk Bauermeister, Dr. Mike Decker  
**CHARTER COMMITTEE MEMBERS:** Ron Amburgey, Brett Eckles, William Fancher, Thomas Graham, Gene Hutchins, Kerry McCarthy, Mary Ann O'Connell, Henry Panian, Tom Pollitt, Lee Ramos, Andrew Smith, Kevin Tobin, Harold Weitzberg  
**LEGAL COUNSEL:** Kimberly Hall Barlow

**ABSENT:** Yolanda Summerhill

**2. PLEDGE OF ALLEGIANCE - Dr. Kirk Bauermeister**

**3. MOMENT OF SILENCE – Dr. Bauermeister**

**4. WELCOME - Dr. Mike Decker**

**5. REVIEW OF MINUTES**

**MOTION/SECOND:** Committee Member O'Connell/ Committee Member Fancher

The June 26, 2013 minutes were approved as presented.

**6. REPORT ON COMMITTEE RESPONSIBILITIES**

Dr. Bauermeister provided an overview of the City Council actions which created the Charter Committee to draft a City Charter.

**7. AGENDA OVERVIEW**

Dr. Decker reviewed the topics on the agenda.

Kimberly Hall Barlow spoke on the City of Vista decision pertaining to prevailing wages and copies were provided.

**8. COMMITTEE TEAM *ICE BREAKER***

Each Committee Member was asked to introduce a fellow Committee Member, and share information about them.

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### **9. PUBLIC COMMENTS**

Robin Leffler, Costa Mesa, commented on a statement made by Mayor Righeimer at the June 4, 2013 City Council Meeting regarding the charge of the Charter Committee. Also, noted the quote is on the Costa Mesa for Responsible Government website, CM4RG.org.

Martin H. Millard, Costa Mesa, commented that the Committee is to write a Charter and then let the voters decide. He also commented that he is in support of local control from Sacramento.

Charles Mooney, Costa Mesa, commented that the City of Bell used the justification of local control as the reason for their Charter. He also stated that he supports a set of established requirements that the Charter can address.

Jay Humphrey, Costa Mesa, requested that the Committee consider all aspects of the criteria. He also commented that the Committee should look at what the state has actually prohibited the City from doing that a Charter will address. He also recommends that the Committee consider safeguards for the citizens of Costa Mesa.

### **10. DISCUSSION REGARDING ELECTIONS OF CHAIR, VICE-CHAIR AND TIME KEEPER**

The Charter Committee discussed electing a Chair, Vice-Chair, and Time Keeper.

#### **MOTION/Brett Eckles:**

Committee to decide whether to have a Chair at a future meeting.

Motion failed due to the lack of a second.

#### **MOTION/SECOND:** Committee Member Smith/Committee Member Ramos

Committee to defer the decision of having a Chair until there is a consensus that there is a need for a Chair.

#### **SUBSTITUTE MOTION/SECOND:** Committee Member Pollitt/Committee Member Graham

Committee to defer deciding on having a Chair to August 14, 2013.

The motion passed by the following vote:

Ayes: Committee Members: Amburgey, Eckles, Fancher, Graham, Hutchins, McCarthy, O'Connell, Panian, Pollitt, Ramos, Tobin, and Weitzberg.

Noes: Committee Member Smith

Motion passed 12 -1

Break 6:55 p.m. to 7:05 p.m.

### **11. REVIEW OF NORMS AND PROCESS**

A new norm was added, "Free flow of ideas", as suggested by Committee Member O'Connell.

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**12. IDENTIFY KEY ISSUES THE CHARTER MIGHT WANT TO ADDRESS**

The Committee created the following key issues and each Committee Member voted on what they considered a priority:

- Public Contracts (Twelve Votes)
  - Openness/Transparency/ Sunshine
  - Quality
  - Prevailing Wage
  - Retention Payments
  - Firewall between CEO and Council Members
- Governance (Nine Votes)
  - Districting
  - Equal Representation
  - Polarization/Process
  - Local control in decision making
  - Giving the minority a voice
  - Compensation of Council Members and top management
  - Firewall between CEO and Council Members
- Financial (Eight Votes)
  - Financial Reserves
  - Property Tax Equity
  - Balanced Budget – cost controls and increase revenue
  - Debt Limits
  - Annual Audits
  - Unfunded pension liabilities
- Personnel (Five Votes)
  - Staff flexibility
  - Union participation, mandatory or optional
  - Collective bargaining, negotiations
  - Unfunded pension liability - voters decide on increase in pension formulas
  - Compensation for Council and total compensation for senior staff-have aligned with the state and loans not allowed in a contract.
- City of Bell (Three Votes)
  - Review the sixteen (16) issues posed in the previous Charter
  - Enhancing Trust in the local democratic process
  - Polarization of City government
  - Community bonding
- Quality of Life ( Two Votes)
  - Preservation of open space
  - Banning Ranch development issues
  - Widening of the I - 405
  - Real estate development/redevelopment
  - Value: Fairness (Geographical)

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- Miscellaneous (Zero Votes)
  - Compensation for Council and total compensation for senior staff-have aligned with the state and loans not allowed in a contract.
  - Draft a simple easy to understand Charter and amend.
  - Mission statements
  - All of the Costa Mesa benefits

### **13. INFORMATION REQUESTS**

Committee Member O'Connell requested a copy of the State Code pertaining to public contracts.

Committee Member Pollitt requested a timeline of the Charter process.

### **14. MEETING SUMMARY**

- Addressed the parking lot
- Team member introductions
- Public Comments
- Decided as a Committee to defer the discussion on a Chair to August 14, 2013.
- Identified the key issues. The number one issue was Public Contracts.
- Created one new norm , "free flow of ideas".

### **15. AGENDA BUILDING FOR JULY 24, 2013**

Consensus of the Committee for the following topics to be on the July 24, 2013 agenda: Call to Order; Pledge of Allegiance; Moment of Silence; Welcome; Public Comments; Review of Minutes; Discussion on the Moment of Silence; Agenda Overview; Charter Issue: Public Contracts; Information Requests; Meeting Summary; Agenda Building; and Adjourn.

### **16. ADJOURNMENT at 9:34 p.m.**